UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,004	10/24/2003	Alexander J. Kolmykov-Zotov	MSFT-6146/304450.01	8547

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EXAMINER
JOSEPH, DENNIS P

ART UNIT	PAPER NUMBER
2629	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/692,004	KOLMYKOV-ZOTOV ET AL.
Office Action Summary	Examiner	Art Unit	
	DENNIS P. JOSEPH	2629	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>23 October 2003</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-20</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>24 October 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some *   c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/24/2003 and11/13/2003</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____

DETAILED ACTION

1.   This Office Action is responsive to claims filed in application No. 10/692,004 on October

24, 2003. Claims 1-20 are pending and have been examined.

Claim Objections

2.   Claim 8 objected to because of the following informalities: On line 4, it recites therein "a

shared memory a component..." Respectively, there should be a ";" in between memory and "a

component". Appropriate correction is required.

Claim Rejections – 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

4.   **Claims 1-2, 4-10, 11-15 and 17-20** rejected under 35 U.S.C. 102(b) as being anticipated

by Morita (5,969,712)

Morita teaches in Claim 1:

A process for transferring pen data between unmanaged and managed code comprising

the step of:

receiving pen data in a component written in unmanaged code (Column 8, Lines 63-65,

information processing unit to input the coordinate value (read unmanaged code is the raw data

that needs to be converted before it can be used by the application), used in conjunction with the

coordinate detecting section 21 to indicate points. Column 13, Lines 28-31);

transferring information related to said pen data to a shared memory (Column 9, Lines

13-14 disclose a memory means for storing functional data, this data is based on the coordinates

indicated by the user to help determine the appropriate function to select);

transferring a pointer that points to said information in said shared memory to an

application written at least in part in managed code (Column 9, Lines 14-21 disclose a

conversion means and Column 22, Lines 40-43 disclose the data is converted in accordance to

perform the assigned function, (read as being converted by a means to now be partly in managed

code form to allow the function to be executed); and

retrieving said information from said shared memory (Column 9, Lines 13-14 disclose a

memory means for manipulating the functional data); but

Morita teaches in Claim 2:

The process according to claim 1, further comprising the steps of:

transferring additional information from said at least in part managed application to said

shared memory (Abstract, conversion status output means 25 outputs data stored in the memory

means 23, for data that is converted);

transferring a pointer that points to said additional information to said component

(Column 9, Lines 13-14 disclose a memory which can be accessed);

retrieving said additional information from said shared memory. (Column 9, Lines 13-14

disclose a memory which can be accessed for functional data, repetitive for multiple stylus

inputs)

Morita teaches in Claim 4:

The process according to claim 1, further comprising the step of: exchanging information

through a COM interface. (Column 8, Lines 63-65, information processing unit to input the

coordinate value, used in conjunction with the coordinate detecting section 21 to indicate points.

Column 13, Lines 28-31. This interacts with the stylus to determine the inputs)

Morita teaches in Claim 5:

The process according to claim 1, said component being a pen services component.

(Column 13, Lines 28-31 disclose the coordinate detecting section 21 to interact with the

stylus/pen)

Morita teaches in Claim 6:

The process according to claim 1, said application including a pen input managed client.

(Column 8, Lines 63-65, information processing unit to input the coordinate value)

Morita teaches in Claim 7:

The process according to claim 1, said component receiving input from at least one pen

device driver. (Figure 2 shows a stylus 3 being used to input coordinates)

Morita teaches in Claim 8:

A system for transferring information between unmanaged code and managed code comprising:

a shared memory (Column 9, Lines 13-14 disclose a memory means for storing functional data, this data is based on the coordinates indicated by the user to help determine the appropriate function to select)

a component that receives pen data and transfers information relating to said pen data to said shared memory and transfers a pointer that points to said information to an application having managed code (Column 9, Lines 14-21 disclose a conversion means and Column 22, Lines 40-43 disclose the data is converted in accordance to perform the assigned function, (read as being converted by a means to now be partly in managed code form to allow for the function to be executed);

said application having managed code receives said pointer and obtains said information from said shared memory. (Column 9, Lines 13-14 disclose a memory means for manipulating the functional data)

Morita teaches in Claim 9:

The system according to claim 8, said component exposing a COM interface. (Column 8, Lines 63-65, information processing unit to input the coordinate value, used in conjunction with the coordinate detecting section 21 to indicate points. Column 13, Lines 28-31. This interacts with the stylus to determine the inputs)

Morita teaches in Claim 11:

The system according to claim 8, said component including a pen services component.
(Column 13, Lines 28-31 disclose the coordinate detecting section 21 to interact with the
stylus/pen)

Morita teaches in Claim 12:

The system according to claim 8, further comprising: at least one pen device driver
sending information to said component. (Figure 2 shows a stylus 3 being used to input
coordinates)

Morita teaches in Claim 13:

The system according to claim 8, further comprising: said application including a pen
input managed client. (Column 8, Lines 63-65, information processing unit to input the
coordinate value)

Morita teaches in Claim 14:

A computer-readable medium having a program stored thereon for transferring
information related to ink between an unmanaged component and an application including
managed code, said program comprising the steps of (Figure 2 shows a stylus input for a
device):

Receiving pen data in a component written in unmanaged code (Column 8, Lines 63-65,
information processing unit to input the coordinate value (read unmanaged code as raw data that

needs to be converted before it can be used by the application), used in conjunction with the

coordinate detecting section 21 to indicate points. Column 13, Lines 28-31);

transferring information related to said pen data to a shared memory (Column 9, Lines

13-14 disclose a memory means for storing functional data, this data is based on the coordinates

indicated by the user to help determine the appropriate function to select);

transferring a pointer that points to said information in said shared memory to an

application written at least in part in managed code (Column 9, Lines 14-21 disclose a

conversion means and Column 22, Lines 40-43 disclose the data is converted in accordance to

perform the assigned function, (read as being converted by a means to now be partly in managed

code form to allow the function to be executed); and

retrieving said information from said shared memory. (Column 9, Lines 13-14 disclose a

memory means for manipulating the functional data)

Morita teaches in Claim 15:

The computer-readable medium according to claim 14, said program further comprising

the steps of:

transferring additional information from said at least in part managed application to said

shared memory (Abstract, conversion status output means 25 outputs data stored in the memory

means 23, for data that is converted);

transferring a pointer that points to said additional information to said component

(Column 9, Lines 13-14 disclose a memory which can be accessed);

retrieving said additional information from said shared memory. (Column 9, Lines 13-14

disclose a memory means for manipulating the functional data)

Morita teaches in Claim 17:

The computer-readable medium according to claim 14, said program further comprising

the step of: exchanging information through a COM interface. (Column 8, Lines 63-65,

information processing unit to input the coordinate value. Used in conjunction with the

coordinate detecting section 21 to indicate points. Column 13, Lines 28-31. This interacts with

the stylus to determine the inputs)

Morita teaches in Claim 18:

The computer-readable medium according to claim 14, said component being a pen

services component. (Column 13, Lines 28-31 disclose the coordinate detecting section 21 to

interact with the stylus/pen)

Morita teaches in Claim 19:

The computer-readable medium according to claim 14, said application including a pen

input managed client. (Column 8, Lines 63-65, information processing unit to input the

coordinate value)

Morita teaches in Claim 20:

The computer-readable medium according to claim 14, said component receiving input

from at least one pen device driver. (Figure 2 shows a stylus 3 being used to input coordinates)

Claim Rejections – 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness
        or nonobviousness.

6.   **Claims 3, 10 and 16** rejected under 35 U.S.C. 103(a) as being unpatentable over Morita

(5,969,712)

As per Claims 3, 10 and 16:

These claims are directed to the use of a P-invoke style interface. Examiner takes Official

Notice as to the use of P-invoke interfacing. This is common in the art as a software means.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS P. JOSEPH whose telephone number is (571)270-1459. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJ

/Amr Awad/
Supervisory Patent Examiner, Art Unit 2629